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(SPB:MCD)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant : **David Y. Zhang**

Application No.: **09/978,261**

Art Unit No. : **1645**

TECH CENTER 1600/2900

Filed : **October 15, 2001**

Examiner : **Not Yet Assigned**

For : **NUCLEIC ACID AMPLIFICATION METHODS**

14
Plunkett

Date: November 18, 2002 11/26/02

Commissioner for Patents
Washington, DC 20231

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Applicants respectfully submit this Supplemental Information Disclosure Statement pursuant to 37 C.F.R. §§ 1.97 and 1.98 in order to comply with the duty of disclosure under 37 C.F.R. § 1.56. The Examiner's attention is directed to the documents listed on the enclosed Form PTO-1449.

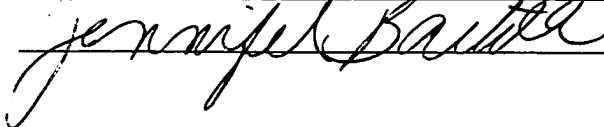
It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Information Disclosure Statement by Applicant (Form PTO-1449) be returned indicating that such information has been considered.

Certificate of Mailing (37 C.F.R. 1.8)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231, on November 18, 2002.

Typed or printed name of person signing this certificate:

Jennifer Bartolo

Signature: 



The references listed on Form PTO-1449 were cited in a communication from the European Patent Office dated October 14, 2002, a copy of which is submitted herewith.

A copy of each of the following references is enclosed herewith.

1. WO 95/35390, Publication date: 12/28/95.
2. Hsuih, T, et al. Novel, ligation-dependent PCR assay for detection of hepatitis C virus in serum. J. of Clin. Microbio. 34(3): 501-507, 1996.
3. Zhang, DY, et al. Amplification of target-specific ligation-dependent circular probe. Gene, 211(2): 277-285, 1998.

To the best of the undersigned's knowledge, this Supplemental Information Disclosure Statement is being filed prior to the issuance of a first office action, and so is submitted in accordance with 37 C.F.R. § 1.97(b)(3).

CONCLUSION

No fee is deemed necessary in connection with the filing of this Supplemental Information Disclosure Statement. However, if any fee is due the amount of such fee may be charged to Deposit Account No. 19-4709.

Respectfully submitted,

for Mary C. D'Amico, Reg. No. 37, 306
Steven B. Pokotilow
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FORM PTO 1449 (modified)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

LIST OF REFERENCES CITED BY APPLICANT(S)
(Use several sheets if necessary)



CASE DOCKET NO.

351305/0028

APPLICANT

David Y. Zhang

FILING DATE

October 15, 2001

APPLICATION NO.

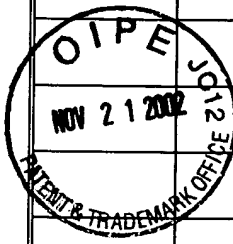
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GROUP

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U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
						RECEIVED
						NOV 22 2002
						TECH CENTER 1600/2900



FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES/NO/ OR ABSTRACT
	EP 0359789	03/28/90	EPO not provided			
✓	WO 95/35390	12/28/95	PCT			

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	Fire, A. et al., Rolling Replication of Short DNA Circles, Proc. Natl. Acad. Sci. USA, 92: 4641-4645, 1995. no reference provided
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	Lizardi, PM, et al., Mutation Detection and Single-Molecule Counting Using Isothermal Rolling-Circle Amplification, Nature Genetics, 19: 225-232, 1998. no reference provided
✓	Zhang, DY, et al. Amplification of target-specific ligation-dependent circular probe. Gene, 211(2): 277-285, 1998.

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (Int.Cl.6)
X	WO 95 35390 A (SINAI SCHOOL MEDICINE; ZHANG DAVID Y (US)) 28 December 1995 (1995-12-28) * claims 1-38 *	1-4,6, 8-21	C12Q1/68 C12Q1/70 C12P19/34 C07H21/02 C07H21/04
Y	* see especially claims 1-38, Fig. 7 *	5,7	
Y	--- EP 0 359 789 A (GENENTECH INC) 28 March 1990 (1990-03-28) * the whole document *	5,7	
Y	--- HSUIH T ET AL: "Novel, ligation-dependent PCR assay for detection of hepatitis C virus in serum." JOURNAL OF CLINICAL MICROBIOLOGY, vol. 34, no. 3, March 1996 (1996-03), pages 501-507, XP002214805 * the whole document *	1-21	
Y	--- FIRE A ET AL: "Rolling replication of short DNA circles" PROCEEDINGS OF THE NATIONAL ACADEMY OF SCIENCES OF USA, NATIONAL ACADEMY OF SCIENCE. WASHINGTON, US, vol. 92, no. 10, 9 May 1995 (1995-05-09), pages 4641-4645, XP002112409 ISSN: 0027-8424 * the whole document *	1-21	TECHNICAL FIELDS SEARCHED (Int.Cl.6) C12Q
P,X	--- WO 97 19193 A (UNIV YALE) 29 May 1997 (1997-05-29) * the whole document, especially Fig. 1, 4, 13 *	1,2,6,8, 11,15-17	
The supplementary search report has been based on the last set of claims valid and available at the start of the search.			
Place of search THE HAGUE		Date of completion of the search 14 October 2002	Examiner Pinta, V
CATEGORY OF CITED DOCUMENTS X : particularly relevant if taken alone Y : particularly relevant if combined with another document of the same category A : technological background O : non-written disclosure P : intermediate document T : theory or principle underlying the invention E : earlier patent document, but published on, or after the filing date D : document cited in the application L : document cited for other reasons & : member of the same patent family, corresponding document			



DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (Int.Cl.6)
T	ZHANG D Y ET AL: "Amplification of target-specific, ligation-dependent circular probe" GENE: AN INTERNATIONAL JOURNAL ON GENES AND GENOMES, ELSEVIER SCIENCE PUBLISHERS, BARKING, GB, vol. 211, no. 2, 12 May 1998 (1998-05-12), pages 277-285, XP004120590 ISSN: 0378-1119 ---		
T	LIZARDI PM ET AL: "Mutation detection and single-molecule counting using isothermal rolling-circle amplification" NATURE GENETICS, vol. 19, July 1998 (1998-07), pages 225-232, XP000856339 * figure 4 * -----		
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Place of search THE HAGUE		Date of completion of the search 14 October 2002	Examiner Pinta, V
CATEGORY OF CITED DOCUMENTS X : particularly relevant if taken alone Y : particularly relevant if combined with another document of the same category A : technological background O : non-written disclosure P : intermediate document		T : theory or principle underlying the invention E : earlier patent document, but published on, or after the filing date D : document cited in the application L : document cited for other reasons ----- & : member of the same patent family, corresponding document	

ANNEX TO THE EUROPEAN SEARCH REPORT
ON EUROPEAN PATENT APPLICATION NO.

EP 97 93 5208

This annex lists the patent family members relating to the patent documents cited in the above-mentioned European search report. The members are as contained in the European Patent Office EDP file on
The European Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

14-10-2002

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